

VCO Exception Summary

A juvenile commits a status offense such as truancy, runaway, curfew, or minor in possession of alcohol. The valid court order provision may not be used for nonoffenders.

A valid court order is given by a juvenile court judge to a juvenile:

- ◆ who was brought before the court and made subject to such order, and
- ◆ who received, before the issuance of such order, the full due process rights guaranteed to such juvenile by the Constitution of the United States.

After its issuance, the juvenile violates the valid court order.

The juvenile may be held in a juvenile detention facility or a nonsecure facility. The juvenile may not be held in an adult jail or lockup for any amount of time.

If the juvenile is held in a juvenile detention facility, a representative from an appropriate public agency must interview the juvenile in person within 24 hours (excluding weekends and holidays) of being placed into detention.

The juvenile can continue to be held in a juvenile detention facility if the juvenile has a reasonable cause hearing within 48 hours (excluding weekends and holidays) of being placed in detention. The reasonable cause hearing must include the following:

- ◆ A judicial determination that there is reasonable cause to believe the juvenile violated the valid court order, and
- ◆ A judicial determination that the juvenile is being held in the most appropriate placement pending disposition of the violation. This determination is based upon an assessment submitted by an appropriate public agency representative that reviews the immediate needs of the juvenile.

If all of the items listed above were satisfied during the reasonable cause hearing, the juvenile may be held in a juvenile detention center but should not be held any longer than necessary to make an informed disposition. The juvenile cannot be held in an adult jail or lockup for any length of time.

VCO Exception Checklist

A valid court order means a court order given by a juvenile court judge to a juvenile who was brought before the court and made subject to such order, and who received, before the issuance of such order, the full due process rights guaranteed to such juvenile by the Constitution of the United States.

If a juvenile is taken into custody for violating a valid court order issued for committing a status offense, the following conditions must be met:

- _____ Was an appropriate public agency promptly notified that such juvenile is held in custody for violating such order?
- _____ Was the juvenile interviewed in person, by an appropriate public agency representative, within 24 hours of the juvenile's placement in secure detention, excluding weekends and holidays?
- _____ Did the public agency representative submit an assessment to the court, prior to the 48 hour reasonable cause hearing, regarding the immediate needs of the juvenile and the most appropriate placement needs of the juvenile pending disposition of the violation?
- _____ Was the reasonable cause hearing held within 48 hours of the juvenile's placement in secure detention, excluding weekends and holidays
- _____ Was there a judicial determination that there was reasonable cause to believe the juvenile violated such order?

VCO Exception Assessment Report

IN THE INTEREST OF: _____ DOB: _____

Case No. _____

COMES NOW, _____

with the _____ and reports to the Court as follows:

◆ The juvenile was placed in the _____ Juvenile
Detention Facility on the _____ day of _____, _____.

◆ The juvenile was interviewed in person on _____.

Describe the circumstances, events or behaviors relevant to this incident:

Describe the immediate needs of this juvenile:

Describe the most appropriate placement alternatives available for this juvenile awaiting
disposition on the alleged violation:

Respectfully Submitted,

_____ Date: _____